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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/840,588

04/23/2001

Gang Wang

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7590

05/12/2006

MICROSOFT CORPORATION

ATTN: PATENT GROUP DOCKETING DEPARTMENT

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REDMOND, WA 98052-6399

EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/840,588

Applicant(s)

WANG, GANG

Examiner

Victor Lesniewski

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 28-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 28-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed 2/22/2006 has been placed of record in the file.
2. No claims have been amended.
3. Claims 1-25 and 28-35 are now pending.
4. The applicant's arguments with respect to claims 1-25 and 28-35 have been fully considered but they are not persuasive. A detailed discussion is set forth below.

Claim Rejections - 35 USC § 103

5. Claims 1-15, 19-25, and 28-35 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Bonnell et al. (U.S. Patent Number 5,655,081), hereinafter referred to as Bonnell, in view of Gajda et al. (U.S. Patent Number 6,502,088), hereinafter referred to as Gajda, as presented in the previous action dated 11/23/2005. Claims 16-18 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al. (U.S. Patent Number 5,862,325), hereinafter referred to as Reed, in view of Gajda as presented in the previous action dated 11/23/2005.

Response to Arguments

6. In the remarks, the applicant has argued:

- <Argument 1>

There is no motivation to combine Bonnell and Gajda.

- <Argument 2>

The combination of Bonnell and Gajda does not disclose the features of claim 1 because it does not disclose “said plurality of monitored computing devices implementing schema for responding to one or more queries by providing the aggregator component with at least one access point, which can be traversed to dynamically discover information about one or more associated computing devices that satisfies the one or more queries, based on one or more query triggering events defined in the schema” as recited in claim 1.

- <Argument 3>

There is no motivation to combine Reed and Gajda.

- <Argument 4>

The combination of Reed and Gajda does not disclose the features of claim 16 because it does not disclose “a base class” or “a first derived class” as recited in claim 16.

7. In response to argument 1, it is maintained that there is sufficient motivation to combine Bonnell and Gajda. As previously stated in paragraph 11 of the rejection dated 11/23/2005, the combination helps solve the problem of inefficient management of events as presented by Bonnell. Combining Gajda’s ability to provide an access point that can be traversed dynamically clearly helps make the management more efficient as an access point that can be traversed dynamically allows for such capabilities as presented by Gajda’s index manager 902. See, inter alia, the previous citation to Gajda, column 9, lines 21-46.

8. Concerning the applicant’s statements as to the combination rendering Bonnell unsuitable for its intended purpose, there is no reason that Bonnell’s servers that run software agents could not also incorporate the functionality of Gajda’s store place data access layer (SPDAL) in order

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to provide additional features to the server. Bonnell's management system could clearly and readily be altered to incorporate the additional functionality of the SPDALs to help Bonnell's system operate with both relational and non-relational data sources.

9. In response to argument 2, the combination of Bonnell and Gajda does disclose implementing schema as recited in claim 1. Bonnell clearly allows for the handling of user queries that are sent to the agent knowledge database of the server. Gajda adds to this functionality by allowing queries to be completed via an access point that can be traversed more dynamically. See the previous line citations to Bonnell and Gajda in the rejection of claim 1 as stated in the previous action dated 11/23/2005. The applicant seems to mainly be arguing the claim language "implementing schema" and "query triggering events" although it is clear that any user request for information triggers the query of the database and thus satisfies a "query triggering event" and that the system must run code (the software run in Bonnell, figure 3 for example) in order to properly respond to a query which satisfies "implementing schema". If the applicant has a more specific idea of what he expects "implementing schema" and "query triggering events" to mean, this idea is not presented in the claims.

10. In response to argument 3, it is maintained that there is sufficient motivation to combine Reed and Gajda. As previously stated in paragraph 15 of the rejection dated 11/23/2005, the combination increases flexibility and efficiency in database accesses as presented by Gajda. Combining Gajda's ability to provide an access point that can be traversed dynamically clearly helps increase flexibility and efficiency in database accesses as an access point that can be traversed dynamically allows for such capabilities as presented by Gajda's index manager 902. See, inter alia, the previous citation to Gajda, column 9, lines 21-46.

11. Concerning the applicant's statements as to the combination rendering Reed inoperable for its intended purpose, there is no reason that Reed's combined management of the types of content information transferred would not benefit by incorporating the functionality of Gajda's store place data access layer (SPDAL) in order to provide additional features to the servers. The applicant states that there would be no benefit to Reed since Gajda's SPDALs provide improved access to non-relational databases. On the contrary, this would be very beneficial to Reed because Gajda's system provides relational features to non-relational databases and would thus help Reed's system operate with both relational and non-relational data sources.

12. In response to argument 4, the combination of Reed and Gajda does disclose a base class of type management element as recited in claim 16. The previous line citation to Reed, column 17, lines 5-21, shows the use of standard object classes which incorporate a hierarchy, maintaining aggregation associations, inheritances, and the like. There exist higher classes in the hierarchy that contain other component classes. Concerning the elements managed by such a base class, the applicant is directed to the lines previously cited concerning the derived classes as well as Reed, column 17, lines 22-53 and column 18, line 26 through column 20, line 28.

13. The combination of Reed and Gajda does disclose a first derived class as recited in claim 16. The previous line citations to Reed, column 50, lines 25-46 and column 71, line 59 through column 72, line 21, show objects that control the format of the information (encoding/decoding can be done on various display formats and other formats) and the identification of the information (query result sets allow for explicit identification of data in a communication object). For further clarification regarding managed elements, the applicant is directed to Reed, column 17, lines 22-53 and column 18, line 26 through column 20, line 28.

14. The combination of Reed and Gajda does disclose a second derived class as recited in claim 16. The previous line citation to Reed, column 41, line 63 through column 42, line 15, shows an event class that uses a scheduled event loop to track object activity. Concerning the “requesting the information” part of the second derived class, the applicant is directed to the lines cited in the base class limitation dealing with queries and is also directed to Reed, column 19, lines 20-36.

15. In addition, the applicant has argued that claims rejected under 35 U.S.C. 103, but not explicitly discussed, are allowable based on the above arguments. Thus, claims disclosing similar limitations to the discussed claims and related dependent claims remain rejected under the same reasoning as presented above.

Conclusion

16. **THIS ACTION IS MADE FINAL.** The applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987.


The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor Lesniewski
Patent Examiner
Group Art Unit 2152


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SUPERVISORY PATENT EXAMINER